

REMARKS

This amendment is submitted under 37 C.F.R. § 1.116 responsive to the final Office Action¹ mailed on February 22, 2007. Claims 1-63 were presented for examination.

Claims 1, 2, 19, 20-22, 39-42, and 59-63 are rejected under 35 U.S.C. §103(a) as being un-patentable over Johannsson et al. et al. (U.S. 2002/0044549, hereinafter “Johannsson”) and further in view of newly-cited Novakovich et al. (U.S. 5,289,176; hereinafter “Novakovich”). Claims 3, 23 and 43 are rejected under 35 U.S.C. §103(a) as being un-patentable over Johannsson in view of Novakovich and further in view of Quoc et al. (U.S. Patent No. 6,092,214, hereinafter “Quoc”). Claims 18, 38 and 58 are rejected under 35 U.S.C. §103(a) as being un-patentable over Johannsson in view of Novakovich and further in view of Logan et al. (U.S. Patent No. 5,968,121, hereinafter “Logan”).

In addition, claims 20-22, 39-42 and 59-63 are rejected as not teaching or defining any new limitations above claims 1, 2 and 19 and therefore are rejected for similar reasons. Claims 23 and 43 are rejected as not teaching or defining any new limitations above claim 3 and therefore are rejected for similar reasons. Claims 38 and 58 are rejected as not teaching or defining any new limitations above claim 18 and therefore are rejected for similar reasons.

¹ The Office Action may contain a number of statements characterizing the cited references and/or the claims which Applicants may not expressly identify herein. Regardless of whether or not any such statement is identified herein, Applicants do not automatically subscribe to, or acquiesce in, any such statement. Further, silence with regard to rejection of a dependent claim, when such claim depends, directly or indirectly, from an independent claim which Applicants deem allowable for reasons provided herein, is not acquiescence to such rejection of that dependent claim, but is recognition by Applicants that such previously lodged rejection is moot based on remarks and/or amendments presented herein relative to that independent claim.

Applicant respectfully traverses these rejections for the following reasons. Per the Office Action, page 10, dependent claims 4-17, 24-37 and 44-57 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Independent claim 1 has been amended to include the limitations of dependent claims 3 and 4, effectively rewriting claim 4 in independent form. Claims 3 and 4 are canceled without prejudice or disclaimer. Dependent claims 5 and 6 are amended to conform their dependencies to non-canceled claims.

Independent claim 21 has been amended to include the limitations of dependent claims 23 and 24, effectively rewriting claim 24 in independent form. Claims 23 and 24 are canceled without prejudice or disclaimer. Dependent claims 25 and 26 are amended to conform their dependencies to non-canceled claims.

Independent claim 41 has been amended to include the limitations of dependent claims 43 and 44, effectively rewriting claim 44 in independent form. Claims 43 and 44 are canceled without prejudice or disclaimer. Dependent claims 45 and 46 are amended to conform their dependencies to non-canceled claims.

In addition, Applicants have canceled independent claims 19-20, 39-40, 59-60 and 61-63, all without prejudice or disclaimer.

Applicants do not agree that newly-cited Novakovich taken in combination with any or all of the other cited references is necessarily an adequate basis for rejecting Applicants claims. Accordingly, Applicants expressly reserve their rights to file a

continuing application covering subject matter included in any or all of the canceled
claims.

CONCLUSION

Reconsideration and allowance of claims 1-2, 5-18, 21-22, 25-38, 41-42 and 45-58 are respectfully requested in view of the above amendment and remarks.

This amendment should be entered under Rule 116 because it merely cancels claims to place the application into a condition for allowance as indicated in the final Office Action. No further searching or consideration is required.

To the extent that an extension of time may be needed in order to enter this amendment in this case, please consider this response as including a petition under 37 C.F.R. § 1.136 for such extension of time. Please charge any fee for such petition or any other fee or cost that may be incurred by way of this amendment to Patent Office deposit account number 05-0889. If the Examiner feels that a telephone conversation may serve to advance the prosecution of this application, she is invited to telephone Applicants' undersigned representative at the telephone number provided below.

Respectfully submitted,



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